

**Remarks:**

The foregoing amendments and these remarks are responsive to the Office action dated August 23, 2006.

Prior to entry of the present Amendment, claims 10-17 and 22-27 remained pending in the application. Claims 10-17 and 22-27 were previously allowed, but now stand rejected under new references cited by the Examiner.

**Rejections Under 35 USC § 102**

The Examiner has rejected claims 10, 13-16, 22 and 24-26 as being anticipated under 35 USC § 102(e) by U.S. Patent No. 6,938,154, issued to Berson et al. on August 30, 2005. Applicant respectfully traverses these rejections.

Berson et al. discloses a system for secure operation of network devices, including printers, wherein secure operation is achieved by assigning digital certificates to network users and/or network devices. Thus, network devices can authenticate users, and network users can authenticate network devices. Such a system further provides for encryption of data passing between network users and network devices.

Independent Claim 10 recites a method comprising: receiving, at a web service representing a printer, a request to print a document; receiving, at the web service, an identification of the user; automatically detecting when the user is in close physical proximity to the printer; and waiting to print the document until the user is in close physical proximity to the printer.

In contrast to claim 10, Berson et al. does not disclose a web service representing a printer. Berson et al. only mentions printers as being one potential type

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of network device. Moreover, regarding automatically detecting when a user is in close physical proximity to the printer, the Examiner cites the following passage: "a user could send a document encrypted under a particular key to a printer, but only provide that key to the printer to allow it to decrypt and print once the user was physically in the room to obtain the document." Col. 6 lines 39-42. As is clear from this language, it is the user that deliberately provides the key to the printer once the user is physically in the room. There is no mention of the printer automatically detecting when the user is in close physical proximity to the printer, as recited in claim 10. For at least the foregoing reasons, the rejection of claim 10 should be withdrawn. Because claim 10 has been shown to be allowable, the rejections of claims 11-17, which depend on claim 10, should be withdrawn for at least the same reasons as claim 10.

Independent Claim 22 recites a system comprising: a network service representing a printer; a client computing device configured to, execute a network browser via which content representing a printer can be displayed to allow a user of the client computing device to request a document to be printed at the printer, automatically detect an identity of the user, communicate the print request and the identity of the user to the network service; and wherein the network service is configured to, receive the print request and the identity of the user, automatically detect when the user is in close physical proximity to the printer by identifying the identity of the user being located on a device within a range of a proximity sensor at the network service, and waiting to print the requested document until the user has been detected in close physical proximity to

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the printer. Applicant respectfully disagrees with the Examiner's rejection of this claim for the following reasons.

First, the Examiner again cites col. 6 lines 39-42 of Berson et al., this time as disclosing automatically detecting when the user is in close physical proximity to the printer by identifying the identity of the user being located on a device within a range of a proximity sensor at the network service. As pointed out above, Berson et al. does not disclose automatically detecting when the user is in close physical proximity to the printer. Furthermore, as implied in the Examiner's rejection of claim 11 under 35 USC § 103 discussed below, Berson et al. fails to teach a printer using a proximity sensor to detect the presence of a user.

Second, the Examiner cites language in Berson et al. – "a command for operation of the network device is received" – as disclosing a client device executing a network browser via which content representing a printer can be displayed to allow a user of the client computing device to request a document to be printed at the printer. However, there is no mention of a network browser being available in Berson et al., much less a browser that displays content representing a printer. Claim 22 thus is clearly not anticipated by Berson et al..

Third, the Examiner cites no language in Berson et al., nor can any such language be found, that discloses a client computing device being configured to automatically detect the *identity* of the user. Instead of detecting the identity of a user, Berson et al. *assigns* a digital certificate to the user to establish a "cryptographic identity" for the user. Col. 2 line 24. There is no indication that this certificate is related

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in any way to the specific identity of the user. Claim 22, in contrast, recites detecting the specific identity of the user to enable private printing.

Fourth, the Examiner cites col. 4, lines 26-35 of Berson et al. as disclosing "a network service representing a printer." However, that language only mentions a "network device, such as a printer," which implies hardware. As is indicated in applicant's specification, where paragraph 0026 describes interacting with "network servers 154 and 156, as well as network services *executing on such servers*," the "network service" should be interpreted as a software service representing a printer, and not as a hardware "network device, such as a printer."

Last, the Examiner states that language in Berson et al., describing a digital certificate being assigned to a network device, anticipates the language of claim 22 reciting "a client computing device configured to...communicate...the identity of the user to the network service [representing a printer]; ...wherein the network service is configured to receive the...identity of the user." However, the Examiner later appears to contradict this statement in the obviousness rejection of claim 17: "Berson et al. fail [sic] to teach a method, wherein the receiving comprises receiving [at a web service representing a printer] the identification of the user from a client computing device being used by the user." For at least these reasons, the rejection of claim 22 should be withdrawn. As claims 23-27 depend on claim 22, the rejections of these claims should be withdrawn for at least the same reasons as claim 22.

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Turning to the dependent claims, claim recites waiting to print the document until the user has entered a particular personal identification number (PIN) at the printer. Claim 16 recites receiving the PIN from the same computing device as the request to print the document is received from. To anticipate these features, the Examiner cites language in Berson et al. describing sending a document encrypted under a particular key to a printer, but only providing that key to the printer to allow it to decrypt and print once the user is physically in the room. However, unlike the key in Berson et al., the PIN of claim 15 is used to identify a user, not to encrypt/decrypt files. Moreover, Berson et al. never mentions the print-requesting device sending a PIN to a printer. For these additional reasons, the rejections of claims 15 and 16 should be withdrawn.

Claim 25 recites displaying the content representing the printer to allow a user of the client computing device to enable a private printing option along with the request for the document to be printed. The language cited by the Examiner as anticipating this feature describes a digital certificate being assigned to a network device (i.e. printer), and a command for operation of that device being received from a network user. Contrary to the Examiner's argument, Berson et al. does not mention displaying anything to the user, much less content representing a printer which would allow the user to select private printing. Thus, the rejection of claim 25 should be withdrawn for this additional reason.

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Rejections Under 35 USC § 103

The Examiner rejected claims 11, 12, 17, 23 and 27 under 35 USC § 103(a) in view of various references. Applicant respectfully traverses these rejections.

The Examiner rejects claim 11 over Berson et al. in view of U.S. Patent No. 6,857,568 issued to Fergen et al. Fergen et al. is directed towards a terminal for libraries and the like, where the terminal, inter alia, both checks out and checks in circulating items, integrates a security marker reader, a printer, and a controller in the same housing, and processes financial transactions related to the borrowing of circulating items. In one embodiment, the terminal includes a proximity sensor that may be used to detect when a library patron has approached the self-service library terminal.

Claim 11 recites detecting when the user is within a threshold distance of the printer, wherein the threshold distance is no greater than a range of a proximity sensor that is part of the printer. While the proximity sensor of Fergen et al. may detect the presence of any library patron, it does not detect the specific user of a client computing device who requested a document to be printed at the printer, as recited in claim 11. Thus, it would not have been obvious to combine the teachings of Berson et al. and Fergen et al. to teach the limitation of claim 11, and the rejection under 35 USC § 103(a) should be withdrawn.

The Examiner rejects claim 17 over Berson et al. in view of U.S. Patent No. 6,285,889 issued to Nykänen et al. Nykänen et al. describes various methods of utilizing an application and output device-independent data transfer format to enable printing from portable terminal devices.

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Claim 17, as amended, recites receiving the identification of the user from a client computing device being used by the user. As the Examiner acknowledges, Berson et al. does not disclose receiving the identification of the user from a client computing device being used by the user. However, Nykänen et al. does not disclose this feature either. Nykänen et al. does not teach or suggest sending the user's identity from the terminal device to any other device, nor does Nykänen et al. mention private printing. For at least this reason, claim 17 should be allowed.

The Examiner rejects claim 27 over Berson et al. in view of U.S. Patent No. 6,947,571 issued to Rhoads et al. Rhoads et al. generally discloses cell phones with optical capabilities and related applications. In one application, a secure building is provided with a proximity sensor, wherein the proximity sensor discerns the presence a user by detecting a badge worn by a user.

Claim 27 recites using a proximity sensor that is part of the client computing device to identify the user identification from a device worn by the user. In contrast to the requirements of claim 27, Rhoads does not disclose the proximity sensor being part of a client computing device configured to print to a printer. Nor does the Examiner put forth evidence that it would have been obvious to use a proximity sensor on a client computing device configured to print to a printer. For at least this reason, claim 27 should be allowed.

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Applicants believe that this application is now in condition for allowance, in view of the above amendments and remarks. Accordingly, applicants respectfully request that the Examiner issue a Notice of Allowability covering the pending claims. If the Examiner has any questions, or if a telephone interview would in any way advance prosecution of the application, please contact the undersigned attorney of record.

Respectfully submitted,

KOLISCH HARTWELL, P.C.

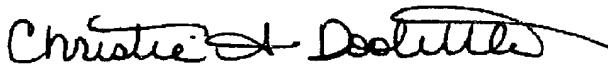


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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to Examiner T. Lamb, Group Art Unit 2622, Assistant Commissioner for Patents, at facsimile number (571) 273-8300 on November 24, 2006.



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Christie A. Doolittle

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